

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JANE DOE,

Plaintiff,

v.

DARREN K. INDYKE and RICHARD D.
KAHN, in their capacities as executors of
the ESTATE OF JEFFREY E. EPSTEIN,
GHISLAINE MAXWELL, an individual,

Defendants.
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20-cv-00484-JGK

Proposed Order

JOHN G. KOELTL, United States District Judge:

This matter is before me on Plaintiff's Motion to Dismiss With Prejudice Pursuant to FRCP 41(a)(2) of the Federal Rules of Civil Procedure and Ms. Maxwell's Response thereto.

It is hereby **ORDERED** that, pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, the above-captioned action will be dismissed with prejudice, upon the following conditions:

Plaintiff shall provide an unredacted and signed copy of the General Release she executed with the Epstein Victims' Compensation Program ("EVCP") within two (2) business days of her affirmative acceptance of the conditions set forth herein, or the expiration of the time period for withdrawing her Motion to Dismiss, as set forth below, together with a certification of its authenticity;

Plaintiff and Darren K. Indyke and Richard D. Kahn, in their capacities as executors of the Estate of Jeffrey E. Epstein, shall each bear their own attorneys' fees and costs of suit.

Nothing herein shall be construed to preclude Ms. Maxwell from seeking fees or costs related to this matter from plaintiff or from the Estate of Jeffrey E. Epstein, Darren K. Indyke, in his capacity as Executor of the Estate of Jeffrey E. Epstein, Richard D. Kahn, in his capacity as Executor of the Estate of Jeffrey E. Epstein, or NES, LLC, a New York Limited Liability Company, or release any such claims as between the Defendants. Nor does anything herein prejudice the Estate Of Jeffrey E. Epstein, Darren K. Indyke, in his capacity as Executor of the Estate Of Jeffrey E. Epstein, Richard D. Kahn, in his capacity as Executor of the Estate Of Jeffrey E. Epstein, or NES, LLC's rights and legal positions with respect to Ms. Maxwell's seeking of fees or costs related to this matter, all of which rights and legal positions are hereby expressly preserved.

It is further **ORDERED** that plaintiff shall have until [_____] to accept an Order of Dismissal with Prejudice on the above terms, or withdraw her **MOTION TO DISMISS WITH PREJUDICE PURSUANT TO FRCP 41(a)(2)** filed January 15, 2020. If Plaintiff takes no action by [_____] , the conditions will be deemed accepted, and this Order and Judgment including the conditions shall be entered forthwith.

Dated: New York, New York

_____, 2021

SO ORDERED

JOHN G. KOELTL
United States District Judge
Southern District of New York